

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

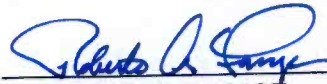
UNITED STATES OF AMERICA,  Plaintiff,  vs.  JOHN KILGALLON, DANIEL C. MOSTELLER, and STEPHEN HOUGHTALING,  Defendant.	1:21-CR-10023-01-02-03  ORDER OF RECUSAL OF DISTRICT OF SOUTH DAKOTA JUDGES
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The above-captioned case involves the alleged criminal contempt of the current United States Marshal and Chief Deputy United States Marshal for the District of South Dakota arising out of issues before Senior Judge Charles B. Kornmann of the District of South Dakota. On June 29, 2021, Judge Kornmann entered an Order, Doc. 33, that among other things recused himself under 28 U.S.C. § 455(a). Under § 455(a), any “judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” United States v. Melton, 738 F.3d 903, 905 (8th Cir. 2013); see also Canon 3(c)(1) of the Code of Conduct for United States Judges. At a recent meeting of all district and magistrate judges of the District of South Dakota, the undersigned judge explained that he felt the need to recuse himself, and all district and magistrate judges of the District of South Dakota advised that they as well would recuse themselves. Therefore, to avoid each judge entering separate orders of recusal and for good cause, it is hereby

ORDERED that all district and magistrate judges of the District of South Dakota have recused themselves and that this matter be referred to the Chief Judge of the United States Court of Appeals for the Eighth Circuit for designation of an out-of-district judge.

DATED this 1st day of July, 2021.

BY THE COURT:



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ROBERTO A. LANGE  
CHIEF JUDGE